

REMARKS

This Amendment is in response to the Office Action dated November 5, 2008 (the "Action"). Applicants appreciate the indication in the Action that Claims 50, 79, 97-101 and 109-111 are allowed, and that Claims 47, 49, 53-56, 76, 78 and 82-84 would be allowable if rewritten in independent form.

Claims 20-29, 31-39, 60-64 and 66-73 stand rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 1-39, 60-73, 87-96 and 102-106 stand rejected under 35 U.S.C. 101. Claims 1-6, 8, 11, 12, 17-26, 28, 31, 32, 36-46, 48, 51, 52, 57-61, 63, 66, 67, 71-75, 77, 80, 81, 85 and 86 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,680,999 to Garcia. *See* the Action, pages 2-3.

In order to expedite prosecution, Claim 40 has been amended to incorporate the recitations of allowable Claim 47, and Claim 47 has been canceled. Claims 53-56 have been rewritten in independent form. Claim 74 has been amended to incorporate the recitations of allowable Claim 76, and Claim 76 has been canceled. Claims 82-84 have been rewritten in independent form. Accordingly, independent Claims 40, 56, 74, and 82 are in condition for allowance as indicated in the Action. Applicants have canceled Claims 1-39, 60-73, 87-96 and 102-106. The remaining dependent claims depend directly or indirectly from allowable Claims 40, 50, 56, 74, 79 and 82, and therefore, such claims are in condition for allowance based on the claims from which they depend.

The above amendments are made without prejudice to Applicants' right to file a continuation and/or divisional application directed to the previously presented claims.

Accordingly, Applicants submit that pending Claims 40-46, 48-59, 74-75, 77-86, 97-101 and 107-111 are in condition for allowance as indicated in the Action.

Attorney Docket No. 9392-2
Application Serial No. 10/672,556
Filed: 09/25/2003
Page 15

For the reasons discussed above, Applicants submit that the application is in condition for allowance, and a Notice of Allowance is respectfully requested in due course.

Respectfully submitted,

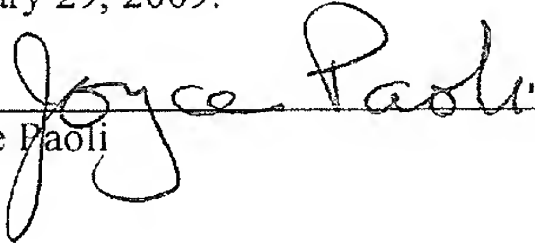


Laura M. Kelley
Registration No.: 48,441

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 29, 2009.


Joyce Paoli